

EXHIBIT F

State of South Carolina) In the Court of General Sessions
County of Colleton) Fourteenth Judicial Circuit
2022-GS-15-0592
2022-GS-15-0593
2022-GS-15-0594
2022-GS-15-0595

The State of South Carolina,)
vs.) Transcript of Record
Richard Alexander Murdaugh.) **EXCERPT**
) **CARSON BURNEY**
)
)
)

February 3, 2023

B E F O R E:

The Honorable Clifton Newman, Judge, and a jury.

A P P E A R A N C E S:

Alan M. Wilson, Attorney General
Donald J. Zelenka, Deputy Attorney General
Samuel Creighton Waters, Senior Assistant Deputy AG
John B. Conrad, Assistant Attorney General
David A. Fernandez, Assistant Attorney General
Savannah M. Goude, Assistant Attorney General
Johnny E. James, Assistant Attorney General
John P. Meadors, Assistant Attorney General
Attorneys for the State

Richard A. Harpootlian, Esquire
James M. Griffin, Esquire
Phillip D. Barber, Esquire
Margaret N. Fox, Esquire
Attorneys for the Defendant

Elizabeth B. Harris, CVR-M-CM
Michael C. Watkins
Circuit Court Reporters

I N D E X

Witness/Description Page No.

EXCERPT

FRIDAY, FEBRUARY 3, 2023

IN-CAMERA HEARING

Carson Burney

Direct Examination by Mr. James. 5

Certificate Page. 23

E X H I B I T S

No.	Description	I.D.	Ev.
-----	-------------	------	-----

(EXHIBITS ADMITTED FOR PURPOSES OF IN-CAMERA HEARING ONLY.)

S-373	Trace of Funds		22
-------	----------------	--	----

S-374	Trace Documents		22
-------	-----------------	--	----

S-375	Trace Documents		22
-------	-----------------	--	----

S-376	Trace Documents		22
-------	-----------------	--	----

S-377	Trace Documents		22
-------	-----------------	--	----

S-378	Trace Documents		22
-------	-----------------	--	----

S-379	Trace Documents		22
-------	-----------------	--	----

S-380	Trace Documents		22
-------	-----------------	--	----

S-381	Trace Documents		22
-------	-----------------	--	----

S-382	Trace Documents		22
-------	-----------------	--	----

S-383	Trace Documents		22
-------	-----------------	--	----

S-384	Trace Documents		22
-------	-----------------	--	----

S-385	Trace Documents		22
-------	-----------------	--	----

S-386	Trace Documents		22
-------	-----------------	--	----

S-387	Trace Documents		22
-------	-----------------	--	----

S-388	Trace Documents		22
-------	-----------------	--	----

S-389	Trace Documents		22
-------	-----------------	--	----

S-390	Trace Documents		22
-------	-----------------	--	----

S-391	Trace Documents		22
-------	-----------------	--	----

S-392	Trace Documents		22
-------	-----------------	--	----

S-393	Trace Documents		22
-------	-----------------	--	----

	<u>No.</u>	<u>Description</u>	<u>I.D.</u>	<u>Ev.</u>
1				
2	S-394	Trace Documents		22
3	S-395	Trace Documents		22
4	S-396	Trace Documents		22
5	S-397	Trace Documents		22
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				

1 because they were named to Richard Alexander Murdaugh.

2 Q So, here coming out of that Bank of America account
3 ending 6779 -- it is the checking account -- ultimately
4 747,000 out of the \$792,000 was disbursed. Is that
5 correct?

6 A That is correct.

7 Q And then am I -- and how much was disbursed after
8 being transferred into Palmetto State Bank account 6092?

9 A \$42,000.

10 Q 6092, is that a particularly active account for Mr.
11 Murdaugh?

12 A It is. It's one of his most active accounts at
13 Palmetto State Bank.

14 Q And then a little bit further down here we have
15 something that's labeled PSB 1646, Alex Murdaugh farm.
16 What was that account?

17 A That was -- it's just labeled a farm account and it --
18 from just looking at account records, it seems to primarily
19 deal with the farm being Moselle property.

20 Q And how much money of these Faris fees was disbursed
21 out of that farm account?

22 A \$3,000.

23 Q And in looking behind that facial summary page --
24 we're not going to go through line by line here, but we
25 have every single individual transaction that is summarized

1 in that coverage -- that pivot table. Is that correct?

2 A That is correct. Some of the details I would include
3 on those pivot tables: if there's a date on the check, the
4 date it was negotiated, the amount, and the account number.

5 Q And then what we're looking at here, the \$192,000, is
6 that one of the instruments you were tracing?

7 A Yes, sir.

8 Q And then this next case, 375,000, is that one of the
9 instruments?

10 A Yes.

11 Q And then the next page, the \$225,000, is that one of
12 the instruments?

13 A Yes, sir.

14 Q Mr. Burney, I'm showing you a document labeled at this
15 time as State's Exhibit 374. Do you recognize this
16 document?

17 A I do.

18 Q What is it?

19 A This is a tracing summary for a check in the amount of
20 \$403,500 from the Moss, Kuhn, and Fleming client trust
21 account.

22 Q Is this identified in common parlance as Satterfield
23 money?

24 A Yes.

25 Q It's a little bit tiny; let's see if I can zoom in

1 just a bit. Oh never mind, we'll just stick with this.

2 All right. So, on what date was that \$403,000 deposited?

3 A January 9, 2019.

4 Q And I said the number, but how much money are we
5 talking here?

6 A \$403,500.

7 Q All right, and then how much was ultimately -- into
8 what account was it deposited?

9 A It was deposited into the Forge account ending in
10 7625.

11 Q And in descriptive terms, which account is that?

12 A The Forge account.

13 Q The fake Forge Account?

14 A That was DB -- yes, sir.

15 Q All right, and from that account was any -- were any
16 funds ultimately disbursed?

17 A Yes.

18 Q How much?

19 A 7625. You can see a cash withdrawal in the amount of
20 \$12,500 over two different transactions.

21 Q But otherwise was that money moved into other
22 accounts?

23 A Yes. Primarily, yes.

24 Q And from the Bank of America checking account, how
25 much money was ultimately disbursed?

1 A \$3,970.07.

2 Q And then was that money further transferred into other
3 accounts?

4 A It was.

5 Q Which account was that primarily transferred into?

6 A Into the account ending in 6092 at Palmetto State
7 Bank.

8 Q And out of that Palmetto State Bank account, how much
9 money was ultimately disbursed?

10 A If you could move it down a little bit. There we go.
11 It looks like \$387,029.93.

12 Q I'm not going to go through all of these payments that
13 were made, but there's a cluster of payments here at the
14 top: payment to loan, payment to loan, payment to loan.
15 What are those, generally speaking?

16 A Those are loans that were held at Palmetto State Bank
17 that were under Alex's name, at least some of them in part,
18 some of them in -- in -- solely him.

19 Q And these items in parenthesis, are those just sort of
20 descriptors of those particular loans?

21 A Yes. They're from my notes so I could identify which
22 loan number went to which loan.

23 Q And you specifically reviewed the loan documents in
24 relation to each of these loans, correct?

25 A Yes, sir.

1 A Yes, sir.

2 Q And is this the instrument that you traced?

3 A Yes, sir.

4 Q I'm showing you a document labeled as State's
5 Exhibit 375. Do you recognize this document?

6 A I do.

7 Q And what is it?

8 A This is a tracing summary of a check from the Moss,
9 Kuhn, and Fleming client trust account roughly in the
10 amount of \$2.9 million.

11 Q And when was the -- this instrument deposited?

12 A That was May 15, 2019.

13 Q And you indicated it was roughly \$2.9 million?

14 A Yes, sir.

15 Q And into what account was it deposited?

16 A Into a Forge account ending in 7625.

17 Q And here we have a summary table of all of the various
18 expenses of that \$2.9 million funded and the sum total.

19 This first account appears to be the farm account. How
20 much money was ultimately disbursed from the farm account?

21 A \$147,247.

22 Q And this next one would be for the checking account.
23 Is that correct?

24 A That is correct, ending in 6092.

25 Q And how much money -- those are long ones. We have to

1 flip over. How much money was ultimately disbursed from
2 that checking account?

3 A \$1,429,753.

4 Q And this next one says 6649. Is that an additional
5 account at Palmetto State Bank?

6 A That is another checking account under the name of
7 Alex Murdaugh.

8 Q And how much ultimately was disbursed from that
9 account?

10 A \$13,000.

11 Q And then we have 6779, OPA. Is that a checking
12 account at the Bank of America?

13 A That is a personal checking account at Bank of
14 America.

15 Q And how much was ultimately disbursed from that
16 account?

17 A If you scoot it up just a hair.

18 Q I keep looking down and you keep looking up, my bad.

19 A \$1,208,449.89.

20 Q All right, and to identify just a handful of specific
21 transactions, or specific individuals who received some of
22 them here, we have a C.E. Smith. Is -- we actually have a
23 variety of names here. In reviewing the instruments, did
24 you see any sort of pattern of differentiation of checks
25 all going to the same person?

1 A Curtis Smith, \$23,823.03, over four different
2 instruments.

3 Q We additionally had a payment to a credit card here in
4 the amount of how much?

5 A \$7,570.50.

6 Q And did you ultimately get the records of that credit
7 card?

8 A I did.

9 Q Did you attempt to trace any further specific purposes
10 that money went to?

11 A I did not. I just ended at the payment to the credit
12 card for my own sanity primarily.

13 Q And here we have Randolph Murdaugh, III. How much
14 money went to Mr. Murdaugh?

15 A It was \$385,000 in one instrument.

16 Q And then additionally right below that we have the
17 name Scott Harriott. How much money went to Mr. Harriott?

18 A \$84 over one instrument.

19 THE COURT: Would counsel approach?

20 (A bench conference was held with the judge and
21 attorneys off the record.)

22 MR. JAMES: Your Honor, we'll see if we can accelerate
23 this process a little bit.

24 Q Mr. Burney, I have handed you a series of exhibits
25 starting with State's 376 and ending in State's 397. Do

1 you recognize these documents?

2 A I do.

3 Q And are all of these exhibits from 376 to 397
4 documents that you prepared tracing the flow of funds from
5 instruments involving money going through the Forge account
6 through checks negotiated in the name of Palmetto State
7 Bank, and from the Faris fees from the *Mack Truck* case?

8 A Yes, sir.

9 Q And I think we actually already got through the Faris
10 fees in the *Mack Truck* case, so these would be what went
11 through the Forge account, correct?

12 A Through the Forge account. There's some Palmetto
13 State Bank checks in there as well in addition to -- I
14 believe there might be a check or two in the name of Alex
15 Murdaugh in there.

16 Q And throughout all of these tracings and all of these
17 summaries, did they reflect that the money that
18 Mr. Murdaugh took went to his personal use and benefit?

19 A They do.

20 Q And these are ordered in, roughly speaking, reverse
21 chronological order, correct?

22 A Correct.

23 Q Going from 2021 all the way back to a date of deposit
24 on December 20, 2011. Is that correct?

25 A That is correct.

CERTIFICATE

WE, THE UNDERSIGNED MICHAEL C. WATKINS AND ELIZABETH B. HARRIS, CERTIFIED VERBATIM OFFICIAL COURT REPORTERS FOR THE SIXTH AND FIFTH JUDICIAL CIRCUITS OF THE STATE OF SOUTH CAROLINA, DO HEREBY CERTIFY THAT THE FOREGOING **EXCERPT** IS A TRUE, ACCURATE AND COMPLETE TRANSCRIPT OF RECORD OF ALL THE PROCEEDINGS HAD AND EVIDENCE INTRODUCED IN THE HEARING OF THE CAPTIONED CAUSE, RELATIVE TO APPEAL, IN THE CIRCUIT COURT FOR COLLETON COUNTY, SOUTH CAROLINA, ON THE 3RD DAY OF FEBRUARY, 2023.

WE DO FURTHER CERTIFY THAT WE ARE NEITHER OF KIN, COUNSEL, NOR INTEREST IN ANY PARTY HERETO.

/S/Michael C. Watkins

/S/Elizabeth B. Harris, CVR-M-CM

COLUMBIA, SOUTH CAROLINA

MAY 23RD, 2023